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SUBJECT: SRYIA: 2007 TRAFFICKING IN PERSONS REPORT

REF: SECSTATE 02731

Classified By: CDA Michael H. Corbin for reasons 1.4 b and d

¶11. (U) THe following is Post's submission of the annual trafficking in persons report. The Embassy's point of contact is Hilary C. Dauer. Office Telephone: (963) (11) 3391-3207. Fax: (963) (11) 3391-3999. Officer spent 30 hours in preparation of the report, which is structured to answer reftel.

CHECKLIST

¶12. (SBU) 27.A: Syria's opaque legal and political system and conservative, family-centered societal values discourage discussion of trafficking-related issues such as prostitution. However, various organizations report that the major influx of Iraqi refugees (perhaps up to 1.5 million) into Syria who have not been permitted to work, have caused significant problems of trafficking in Syria - with regard to women and children. No government entity follows this issue in depth; the capacity of civil society is underdeveloped, and there are few international NGOs in Syria. One contact at an International Organization said that while government officials are now participating in conferences on the subject, no proper analysis or assessment of the problem has been conducted so far. Consequently, there are no statistics available on the scope and type of trafficking that may exist and very limited insight on the part of the government, the general public, the diplomatic community and international organizations resident in Syria into the issue. Embassies, international organizations, individual activists, lawyers and journalists are the best sources of information about the number of people in Syria who are potential victims of trafficking. Based on our sources and anecdotal evidence, women and girls from Iraq are most at risk of being trafficked to and through Syria for prostitution while women from South and Southeast Asia are most at risk of being trafficked to and through Syria for the domestic labor.

¶13. (SBU) 27.B: Most sources queried by post (UNHCR, International Office for Migration otherwise known as IOM, Asian, Arab, African and European diplomats, lawyers and journalists) do not believe that trafficking in persons is systematic in Syria. There is no information suggesting that Syria is a country of origin for trafficking. Most sources,

however, assert that turmoil in neighboring Iraq has created conditions conducive to the trafficking of Iraqi women, which has led to increased prostitution by Iraqi women and girls in Syria, and to the trafficking of some women and girls to Kuwait, Dubai and Lebanon through Syria. There are no official estimates on the number of Iraqi prostitutes here, whether they were trafficked here or turned to prostitution once their other economic means of support ran out, or on the numbers of women and girls who are trafficked through Syria. There have been some media reports, however, that put the number of Iraqi prostitutes at 50,000, but it is unclear how this number was conceived or how credible it is. Further complicating the matter is that some Iraqi women and girls who turn to prostitution out of economic desperation are then trafficked back into Syria after they are arrested and deported from Syria. Anecdotal reports suggest that Iraqi gangs prey on the most vulnerable refugee families looking for women to lure into prostitution. Some or most of these gangs are likely to be involved in trafficking to some extent.

4. (SBU) 27.B-continued: Although there are reports of Iraqi gangs being deeply involved in the connection between women and prostitution in Syria, the anecdotal reports of how women are trafficked into the country vary widely. Diplomatic sources suggest that Iraqi women refugees are eventually forced by a lack of economic means to turn to prostitution once male heads of household are forced to return to Iraq. Separately, in some cases, Iraqis (both men and women) bring Iraqi women and girls into Syria, who are falsely listed as wives and daughters on the traffickers' passports. In other cases, a trafficker may legally bring an Iraqi woman who is his wife through a "pleasure marriage" (which can be quickly and easily solemnized and dissolved) to Syria and then hand her off to the proprietor of a night club or brothel, according to Embassy contacts in international organizations.

Iraqi traffickers will also collude with elements of Syrian organized crime to deceive Iraqi women into traveling to Syria for a supposedly legitimate job only to end up working in a cabaret or brothel, according to local women's rights lawyers. Sometimes, according to anecdotal reports, desperate Iraqi families leave their children at the border with the expectation that traffickers on the Syrian side will pick them up and arrange forged documents so the young women and girls can stay in Syria in exchange for working in a night club or brothel. In still other cases, the traffickers may seek new passports for the women and girls before "selling" them to third-country nationals for employment in the Middle East, such as in Lebanon, Dubai and Kuwait, according to a diplomatic source. Women are also trafficked from Somalia to work as prostitutes, although the problem is not as widespread. Somali women are more likely to be transited to third countries.

15. (SBU) 27.B-continued: The fact that Iraqi refugees are not permitted to work has resulted in many Iraqi refugee children working to provide for their families because the authorities are less likely to be prevent children from working. Anecdotal reports suggest that some children may be put to work against their will by third parties. Additionally, the General Federation of Trade Unions (the only legal labor union in Syria) estimates that there are approximately 150,000 Southeast Asian and Ethiopian domestic workers in Syria (Note: The governments of Sri Lanka, Indonesia, East Timor and the Philippines ban their citizens from taking employment as domestic workers in the country, absent formal mechanisms to regulate such employment, although at least with regard to Indonesians and Sri Lankans, the ban is not stopping the flow of workers to Syria.) Many workers apparently arrive in Syria with little knowledge about their employment conditions. Employers routinely hold the workers' passports and require them to work long hours, often without providing living quarters that would guarantee personal privacy. In addition, the workers are often not allowed to leave the residence and are subject to violence from their employers.

¶6. (SBU) 27.B-continued: In addition, Post has anecdotal evidence that several hundred Eastern European women are employed as dancers in cabarets in unacceptable conditions, with their employers holding their passports and restricting the number of hours that dancers can leave the work premises.

Employers from both Syria and the women's home country reportedly recruit the women as dancers and have them sign a contract that stipulates a very low wage in Syria with the understanding that they will be paid more under the table upon arrival. Once they arrive, the dancers are made to understand that they can earn additional money from prostitution, especially during the three hours daily that they are authorized to leave the club. International Organizations have, by and large, not focused on the issue of Eastern European woman trafficked to Syria as dancers. The number of prostitutes may have gone down because of the availability of so many exploitable Iraqi refugees.

¶7. (SBU) 27.B-continued: The SARG has taken steps that indicate official awareness of the potential for greater trafficking to and from Syria by creating a counter-trafficking commission in 2005, which met three times in 2007. The cabinet is currently reviewing the commission's draft counter-trafficking legislation, after which it will go to the People's Assembly for approval. There are currently no estimates on when the cabinet will forward the legislation.

¶8. (SBU) 27.B-continued: In 2007, the government also began to implement Decree 81, which was issued in 2006, to regulate the activities of domestic worker agencies. The IOM estimates that there are now five registered domestic worker agencies and 5,000 registered domestic workers from abroad. In addition, in November 2007 the Prime Minister ordered all the estimated hundreds of unregistered domestic worker agencies shut. According to local women's rights advocates, the PM's office, in conjunction with the Ministry of Interior, has been enforcing the new regulations and there are no reports of corruption. Yet the same sources report that the unregistered domestic worker agencies can restart their work under the front of a legitimate business such as a real estate agency. Decree 81 does not specify any criminal punishment for the operators of unregistered domestic worker agencies.

¶9. (SBU) 27.B-continued: In January of 2008, the Ministry of Interior, with the IOM, sponsored a three-day conference designed to create awareness among Parliamentarians and journalists of the problem of trafficking and train judges, lawyers and police on how to deal with the victims of trafficking. Finally, on December 17, 2007, the Ministry of Social Affairs and Welfare approved IOM's proposal to open the first government-supported shelter for victims of trafficking, which includes a referral system for victims of trafficking that government agencies, international organizations and NGOs can use.

¶10. (SBU) 27.C: The Interior Ministry has taken the lead on addressing trafficking issues. It has worked most closely with IOM in setting up conferences, exercising responsibility to enforce Decree 81, and providing protection provisions that allow government officials and others to refer victims to a shelter. The Ministry of Social Affairs and Welfare also plays a role in trafficking issues such as approving the IOM-funded shelter and deciding which unregistered domestic worker agencies should be shut.

¶11. (SBU) 27.D: Limitations on the SARG's ability to address trafficking include a lack of reliable statistics on foreign migration to Syria, a lack of widespread awareness about trafficking, including among officials and law enforcement officers, a lack of resources and technical capacities, and corruption. Local contacts say that corruption is most prevalent with regard to the problem of prostitution in the Iraqi refugee community with many police officials taking payoffs to turn a blind eye.

¶12. (SBU) 27.E: Ministry of Interior officials said during

the February 2007 counter-trafficking conference that they do not systematically monitor counter-trafficking. Rather, Ministry officials monitor, for example, prostitution-related offenses. To Post's knowledge, none of the SARG's assessments related to trafficking are made available publicly or privately.

INVESTIGATION AND PROSECUTION OF TRAFFICKERS

¶13. (SBU) 28.A: Syria has no laws that specifically prohibit trafficking in persons, although there is a 1961 anti-prostitution law that imposes punishment and criminalizes bringing people into the country for the purpose of prostitution, according to an IOM-sponsored study. Moreover, for individuals who facilitate travel of Syrian women abroad to work as prostitutes, article 3 of Law 10 of 1961 stipulates imprisonment of one to five years and a fine of 1,000 to 5,000 Syrian Pounds (about USD \$20 to \$100). If more than one victim is involved, or if the victim is less than 16 years old or is a paid servant, the maximum sentence increases to seven years. Direct text follows:

"Whoever entices a male under the age of 21 or a female of whatever age to leave the United Arab Republic (Note: Egypt and Syria were one country at the time.) or facilitate this or uses him/her, or accompanies him/her abroad to work in fornication or prostitution and whoever helps with this knowingly would be punished by imprisonment of no less than one year and no more than five years and with a fine ranging from one thousand to five thousand Syrian pounds, and the maximum penalty would be imprisonment of seven years if the crime was inflicted on two or more individuals."

¶14. (SBU) 28.A-continued: There are other legal texts in Syria that could further form the basis of future legislation to combat trafficking in persons, according to the IOM. For instance, Section 555 of the Penal Code stipulates that, "whoever incarcерates another person is subjected to a prison sentence of six months to two years." Section 556 states that, "if the incarceration lasts for more than one month or includes torture, the sentence will include hard labor." Decree 29 of 1970 regulating the immigration of foreigners states that, "any foreigner who tries to enter the country with false documentation and anyone who may have aided that foreigner is subject to imprisonment of three months to one year and a fine of \$10 (500 Syrian pounds) to \$40 (2,000 Syrian pounds)." In practice, these laws are not enforced against traffickers, however.

¶15. (SBU) 28.A-continued: In addition, the Syrian Constitution provides for regulation of working hours. Decree 81 of 2006 that regulates domestic worker agencies provides general guidelines for employee contacts, stipulating that worker rights be respected, especially "provision of clothing, food, medicine, acceptable place for the sleep and rest of the worker and undertaking to pay out the monthly salary at the end of each month andsufficient periods for rest and annual leave and not to abuse or beat her under the threat of judicial prosecution in accordance with the existing laws and regulations."

¶16. (SBU) 28.A-continued: Finally, a security MOU signed in late 2006 between the Syrian and Iraqi governments pledges to counter trafficking between the two countries. Post has heard no reports that either government has taken steps to implement the MOU.

¶17. (SBU) 28.B: Post is not aware of anyone prosecuted for trafficking people for sexual exploitation during the reporting period. However, there is anecdotal evidence that Iraqi gangs have been broken up and Iraqis have been deported back to Iraq for involvement in trafficking and other criminal activities.

¶18. (SBU) 28.C: There are no specific anti-trafficking laws. However, the 2006 decree states that domestic worker

agencies that violate the decree would be punished in accordance with article 756 of the general penal code, which stipulates that violators may be imprisoned for an undetermined length of time and/or fined up to 100 Syrian Pounds (about USD two). To date there are no reports of anyone tried or punished under the decree.

¶19. (SBU) 28.D: Rape and forcible sexual assault are addressed in the 1949 Penal Code; penalties for sex crimes were revised in 1985. The minimum sentence for rape or sexual assault is three years imprisonment; the maximum sentence is 15 years--or 21 years if the victim is a minor between the ages of 12 and 15. If the victim is less than 12 years old, the minimum sentence is 15 years imprisonment. However, the perpetrator is absolved of all criminal guilt if he agrees to marry the victim. If the victim is too young for marriage, the rapist receives a longer prison sentence. For kidnapping of women, the penalty is imprisonment for three to seven years. The penalty for deflowering a virgin is five years. The penalty for molestation of a minor less than 15 years of age is 18 months imprisonment

¶20. (SBU) 28.E: Prostitution is illegal in Syria. In addition, the Syrian Penal Code's Debauchery Law criminalizes prostitution of any kind. Prostitution is defined as occurring when any person lures, seduces, induces, assists with, or facilitates another person's commitment of fornication or adultery (regardless of whether there was a financial benefit). The penalty for prostitution under the penal code is imprisonment for three months to three years and payment of a fine of 1,000-3,000 Syrian Pounds (about \$20-60). In the past, Post has received anecdotal reports that cabarets with dancers who double as prostitutes operate throughout Syria with the knowledge of local police who are bribed to ignore the problem. During the past year, however, there were sporadic media reports of police raiding night clubs and cabarets.

¶21. (SBU) 28.F: Post is not aware of instances in which traffickers have been prosecuted in Syria.

¶22. (SBU) 28.G: In a January 2008 conference, the IOM and the Ministry of the Interior conducted training for police, lawyers and judges that was designed to help them better identify and assist victims of trafficking. In addition, the IOM conducted training in December 2007 to train Ministry of Interior immigration officials on border management, including a component on trafficking.

¶23. (SBU) 28.H: The government has informally discussed incidents of illegal migration with other governments through their embassies in Damascus and has unofficially assisted foreign embassies and the IOM with cases involving trafficked individuals. At the same time, however, some embassies and international organizations have complained that the Syrian government has not provided adequate information regarding immigration matters, especially the conditions at the border.

¶24. (SBU) 28.I: Post is not aware of any instances where traffickers have been extradited.

¶25. (SBU) 28.J: Post has heard no direct evidence of central government involvement or tolerance of trafficking. With the increased international and domestic media focus on Iraqi prostitution, however, the government has stepped up its scrutiny of nightclubs and brothels, especially those with Iraqi prostitutes. There are anecdotal reports of police raids on some night clubs as well as ensuing arrests. On the other hand there are also reports that, as in years past, the police and other government agencies largely tolerate prostitution when it occurs in a cabaret or brothel (known as "casino" in Syria). According to contacts in international organizations, the police do not monitor the activities of such venues. The face of prostitution in Syria is also changing due to the influx of Iraqi refugees working as prostitutes. There are now anecdotal reports of Iraqi prostitutes soliciting on the street and villas in the suburbs being used venues for rendezvous between clients and

prostitutes who may have met in a club or brothel. The extent to which this police tolerance of prostitution aids and abets trafficking is difficult to discern, but such tolerance can only make trafficking easier. One local journalist told the Embassy that Syrian authorities will often release incarcerated Iraqi prostitutes into the hands of the traffickers.

¶26. (SBU) 28.K: Post is unaware of any examples of trafficking-related corruption being prosecuted.

¶27. (SBU) 28.L: Syria does not contribute troops to international peacekeeping efforts.

¶28. (SBU) 28.M: Post is not aware of any child sex tourism in Syria. There are anecdotal press reports of citizens of other Middle Eastern countries visiting Syria for sex tourism, partially due to the large influx of Iraqi refugee prostitutes. There is also anecdotal evidence that many Iraqi prostitutes are minors. It is unclear to what extent any visitors come to Syria solely for the purpose of having sex with underage women.

PROTECTION AND ASSISTANCE TO VICTIMS

¶29. (SBU) 29.A: Post has no reports of the government assisting foreign trafficking victims, for example, by providing temporary or permanent residency status or other relief from deportation.

¶30. (SBU) 29.B: The government has limited means and does not have dedicated shelters for trafficking victims nor does it provide counseling or legal assistance. On December 17, however, the Ministry of Social Affairs and Labor gave the IOM approval to set-up a government-authorized women's shelter that will accept victims of trafficking.

Traditionally, such services were limited in Syria, and primarily provided through religious organizations and charity groups. In addition, Caritas, under the auspices of the Catholic Church, funds a shelter run by nuns that offers protection to women, some of whom are victims of trafficking.

Juvenile victims of rape or sexual assault, as well as minors accused of prostitution, are housed in dedicated juvenile detention facilities, which provide health care and vocational training. Finally, some Embassies provide limited assistance. For example, post is aware that the Indonesian Embassy has a shelter with 10 rooms on its Embassy grounds in the event that a woman escapes to the Embassy seeking assistance.

¶31. (SBU) 29.C: According to Embassy sources, the SARG does not provide funding to foreign or domestic NGOs for provision of services to victims of trafficking, although it does support the Syrian Women's Union's efforts to provide emergency relief and education and training to women in Syria.

¶32. (SBU) 29.D: Post has anecdotal reports that some foreign women in prison on prostitution charges have been beaten by prison officials. On December 17, 2007 the Ministry of Social Affairs and Welfare approved a referral system whereby police, immigration officers, judges, and other government officials can refer victims of trafficking to a government authorized shelter rather than criminal prosecution. To date, no one has been referred to the shelter as it has yet to open.

¶33. (SBU) 29.E: Prostitution is not legal in Syria.

¶34. (SBU) 29.F: In many cases victims of trafficking, who are increasing from the Iraqi refugee community, were arrested and charged with prostitution and/or violating immigration laws. In almost all cases the victims were subject to deportation. In some cases embassies and consulates of the victim's country helped ease the way for their return to their home country.

¶135. (SBU) 29.G: Post is not aware of any examples of victims participating in the investigation and prosecution of traffickers. Decree 81 requires domestic worker agencies to put down a USD one million guarantee, which some contacts assert could be used for a victim restitution program.

¶136. (SBU) 29.H: In addition to the government-approved shelter that will open under the guidance of IOM later this year, another shelter is run under the auspices of the Catholic Church. The shelter provides assistance to many women and children who are the victims of a myriad of different deprivations, some of whom are victims of trafficking. Currently, the government does not provide resources to the victims of trafficking.

¶137. (SBU) 29.I: During a January 2008 conference, the IOM, under the auspices of the Ministry for the Interior, provided training to judges, lawyers and police on how to recognize and deal with victims of trafficking. Post has no reports of Syrian embassies abroad providing assistance to Syrian victims of trafficking.

¶138. (SBU) 29.J: Post has not received any reports of Syrians being trafficked abroad.

¶139. (SBU) 29.K: Both the IOM and the UNHCR work with victims of trafficking. Both organizations provide funds to shelters while the IOM provides both training and awareness to government officials who may come into contact with victims of trafficking. The Syrian government provides no funding to assist victims of trafficking. In November of 2007 the UNHCR, IOM, UNICEF, United Nations Food Protection Agency (UNFPA), the NGO Bon Pasteur, and the Syrian Arab Red Crescent (SARC) formed an interagency Working Group on Sexual and Gender Based Violence (SGBV). The group meets monthly to address some issues related to trafficking. Some contacts at International Organizations say they are hopeful to cooperate more closely with the SARC and the Syrian Women's Union in the future to address trafficking issues.

PREVENTION

¶140. (SBU) 30.A: During IOM's January 2008 conference the Director of the Criminal Security Department, Mohammad Ali Saleh said, "Such crimes (human trafficking) don't constitute a common phenomenon nationally." During the same conference, however, the country director for the IOM noted the high level of cooperation they have received from relevant Syrian government bodies in formulating a draft law on trafficking.

¶141. (SBU) 30.B: As mentioned in section 30A, the Ministry of the Interior/IOM conference aimed to spread awareness not only among government officials in the police, immigration and the judiciary but also among parliamentarians and journalists. To date, there have been no public information campaigns aimed at the general public.

¶142. (SBU) 30.C: The Syrian government, through the Ministry of Social Affairs and Welfare, must approve the licensing and approve any assistance international NGOs provide to victims of trafficking. Moreover, the Ministry of Foreign Affairs must approve any foreign funding for NGOs working in Syria. As mentioned in section 30A, SGBV Working Group was formed in November 2007 and aims to coordinate action between international organizations, NGOs and the government-controlled Syrian Arab Red Crescent.

¶143. (SBU) 30.D: The government monitors Syria's borders closely, particularly after the imposition of visa restrictions on Iraqis in October 2007, but shares immigration and migration statistics with non-SARG officials selectively. Post is not aware of current screening for potential trafficking victims at the border. In 2007, IOM conducted training of Ministry of Interior immigration officials in 2007. The training contains a

counter-trafficking component.

¶44. (SBU) 30.E: Following IOM's September 2005 workshop, the SARG issued decree 5114 on the creation of a government committee to formulate a comprehensive draft law to combat trafficking in persons and to draft a set of rules to regulate agencies that recruit foreign workers to Syria. The afore-mentioned SGBV Working Group attempts to coordinate action between the Syrian government, UN agencies and NGOs to aid victims of trafficking as well other female victims of violence. Post is not aware of any other anti-trafficking-in-persons working group or single point of contact within the Syrian government. Post is not aware of the existence of an anti-corruption task force.

¶45. (SBU) 30.F: Post is not aware of a government-run national plan to address trafficking in persons. However, the government has recently approved as many as 15 licensed international NGOs, many of who have plans to work on the issue of exploited Iraqi women and children.

¶46. (SBU) 30.G: Post is not aware of any steps the government has taken to reduce demand for commercial sex acts.

CORBIN